

Remarks

Claims 1-31 are now pending in this application. Claims 1-30 are rejected. Claims 1, 3, 6, 15, 18, 22, 23 and 30 have been amended. Claim 31 has been newly added. No new matter has been added. An authorization to charge a deposit account for the newly added claim is submitted herewith.

The rejection of Claims 1-30 under 35 U.S.C. § 103(a) as being unpatentable over Uehara et al. ("Enterprise Model-based Software Architecture with Server Component Integration," 1998, pp. 356-363) is respectfully traversed.

Uehara et al. describe a system in which resources may be managed separately by different servers such as document server and directory server, so association schemes can only be understood using an enterprise model (page 357, column 2). The system includes a workflow, which is a strategy to perform business tasks by designing a suitable process, identifying performer, and necessary documents (page 357, column 2). Each time line of a task schedule within the system may be associated with documents or materials that are input (referred materials) and/or output (created materials) of that task (page 358, column 1). Users can link associated information, that is tasks (such as a meeting), documents, team or person, and the timeline of the schedule (page 360, column 2). Documents are created and modified with various word processors, and files are registered by the system, which in turn will manage the files using a document management server (page 360, column 2).

Claim 1 recites a method for system design of a plant using a web-based system including a server and at least one device connected to the server via a network, the method comprising the steps of "receiving application data from a user via the device; integrating the received data into a database; utilizing the integrated data to monitor design activities; collecting monitored design activity data; displaying the collected data through a web interface to a person; and red-lining a drawing over the network by executing a computer program, the drawing pertaining to the plant."

Uehara et al. does not describe or suggest a method for system design of a plant as recited in Claim 1. Specifically, Uehara et al. does not describe or suggest red-lining a drawing over the network by executing a computer program, the drawing

pertaining to the plant. Rather, Uehara et al. describe identifying necessary documents to perform business tasks, associating each time line of a task schedule with documents or materials that are input and/or output of that task, linking tasks, documents, team or person, and timeline of the schedule, and creating and modifying documents with various word processors. Accordingly, Uehara et al. does not describe or suggest red-lining a drawing over the network by executing a computer program, where the drawing pertains to the plant. For the reasons set forth above, Claim 1 is submitted to be patentable over Uehara et al.

Claims 2-17 depend, directly or indirectly, from independent Claim 1. When the recitations of Claims 2-17 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claims 2-17 likewise are patentable over Uehara et al.

Claim 18 recites a system for design of a plant, the system comprising “a device; and a server connected to said device and configured to receive plant application information data from a user via said device, utilize the application information data to monitor design activities, collect monitored design activity data, display information obtained from monitoring the design activities through a web interface to a user, and red-line a drawing pertaining to the plant when the drawing is viewed over a network.”

Uehara et al. does not describe or suggest a system for design of a plant as recited in Claim 18. Specifically, Uehara et al. does not describe or suggest a server configured to red-line a drawing pertaining to the plant when the drawing is viewed over a network. Rather, Uehara et al. describe identifying necessary documents to perform business tasks, associating each time line of a task schedule with documents or materials that are input and/or output of that task, linking tasks, documents, team or person, and timeline of the schedule, and creating and modifying documents with various word processors. Accordingly, Uehara et al. does not describe or suggest a server configured to red-line a drawing when the drawing is viewed over a network. For the reasons set forth above, Claim 18 is submitted to be patentable over Uehara et al.

Claims 19-30 depend on independent Claim 18. When the recitations of Claim 19-30 are considered in combination with the recitations of Claim 18, Applicants submit that dependent Claims 19-30 likewise are patentable over Uehara et al.

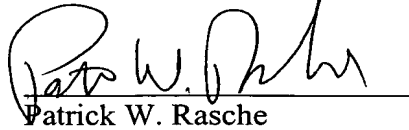
For at least the reasons set forth above, Applicants respectfully request that the Section 103 rejection of Claims 1-30 be withdrawn.

In addition to the arguments set forth above, Applicants respectfully submit that the Section 103 rejection of Claims 1-30 is not a proper rejection. As is well established, the mere assertion that it would have been obvious to one of ordinary skill in the art to have modified Uehara et al. to obtain the claimed recitations of the present invention does not support a prima facie obvious rejection. Rather, each allegation of what would have been an obvious matter of design choice must always be supported by citation to some reference work recognized as standard in the pertinent art and the Applicants given the opportunity to challenge the correctness of the assertion or the notoriety or repute of the cited reference. Applicants have not been provided with the citation to any reference supporting the combination made in the rejection. The rejection, therefore, fails to provide the Applicants with a fair opportunity to respond to the rejection, and fails to provide the Applicants with the opportunity to challenge the correctness of the rejection. Of course, such combinations are impermissible, and for this reason alone, Applicants request that the Section 103 rejection of Claim 1-30 be withdrawn.

Newly added Claim 31 depends from independent Claim 1, which is submitted to be in condition for allowance and patentable over the cited art. For at least the reasons set forth above, Applicants respectfully submit that Claim 31 is also patentable over the cited art.

In view of the foregoing amendment and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Patrick W. Rasche", is written over a horizontal line.

Patrick W. Rasche

Registration No. 37,916

ARMSTRONG TEASDALE LLP

One Metropolitan Square, Suite 2600

St. Louis, Missouri 63102-2740

(314) 621-5070